



*TPW*

AMENDMENT TRANSMITTAL LETTER

Attorney Docket No.: XERZ-US-NP  
XERZ 2 00474

|                      |   |                             |
|----------------------|---|-----------------------------|
| Ser. No.: 10/758,406 | Filed: January 15, 2004   | Examiner: James A. Thompson |
| Art Unit: 2625       | Title: <b>SYSTEM AND METHOD FOR MARKING MATERIAL CONTAINER IDENTIFICATION</b> |                             |

To the Commissioner for Patents:

Transmitted herewith is an Amendment in the above-identified application. The fee has been calculated as shown below.

| CLAIMS AS AMENDED |                                  |       |                                    |                             |       |                 |
|-------------------|----------------------------------|-------|------------------------------------|-----------------------------|-------|-----------------|
|                   | Claims remaining after amendment |       | Highest Number Previously Paid For | No. of Extra Claims Present | Rate  | Additional Rate |
| Total Claims      | 64                               | Minus | 66                                 | 0                           | X 50  | \$0.00          |
| Indep. Claims     | 4                                | Minus | 4                                  | 0                           | X 200 | \$0.00          |
| TOTAL             |                                  |       |                                    |                             | =     | \$0.00          |

- ☒ No additional fee(s) is/are believed due. However, if this is not the case, the Commissioner is hereby authorized to charge any and all fees to Deposit Account No. 06-0308
- ☒ Applicant(s) hereby petition(s) the Commissioner under 37 C.F.R. § 1.136(a) and request(s) a **1-month extension of time** to respond to the outstanding Office Action. Payment for the filing of the above-requested extension of time fee is authorized to be charged to credit card. PTO-2038 Form is attached.

Respectfully submitted,  
FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP

Date: 6/28/06

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| CERTIFICATE OF MAILING OR TRANSMISSION   |   |
|--|---|
| I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being |   |
| <input checked="" type="checkbox"/>  | deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below. |
| <input type="checkbox"/>   | transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below.   |
| Express Mail Label No.:  | Signature: <i>Kristi A. Murphy</i>  |
| Date: June 28, 2006  | Name: Kristi A. Murphy  |



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTOR(S) : Merz et al.  
TITLE : SYSTEM AND METHOD FOR  
MARKING MATERIAL CONTAINER  
IDENTIFICATION  
APPLICATION NO. : 10/758,406  
FILED : January 15, 2004  
CONFIRMATION NO. : 9895  
EXAMINER : Thompson, James A.  
ART UNIT : 2625  
LAST OFFICE ACTION : March 3, 2006  
ATTORNEY DOCKET NO. : A1377-US-NP  
XERZ 2 00474

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT A**

Dear Sir:

Responsive to the Office Action mailed March 3, 2006, please amend the above-identified application as follows.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.

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